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THE FUGITIVE SLAVE LAW, ETC.

SPEECH OF CHARLES DURKEE, OF WISCONSIN,

IN THE

HOUSE OF REPRESENTATIVES,

AUGUST 6, 1852,

ON THE FUGITIVE SLAVE LAW AS A "FINALITY,"

AND

THE PRESENT POSITION OF PARTIES.

The House being in Committee of the Whole on the state of the Union, (Mr. PHELPS in the chair,) on the Civil and Diplomatic Appropriation Bill—

Mr. DURKEE said:

Mr. CHAIRMAN: History proves that the most galling oppression the people have ever suffered has been inflicted by cruel and tyrannical Governments under the name and forms of law. But in the long catalogue of public crimes among civilized nations, there is none more cruel and barbarous than the Fugitive Slave Law now in force in the United States. This law was called by its friends a healing and peaceful measure; yet time has proved it, what every candid mind knew it to be at the time of its passage, a war measure, in some instances even more cruel in its operation than the guillotine itself. Jefferson says, "by the law of nature, man is at peace with man until some aggression is committed." Here aggression exists in savage form.

This law, in its operation, disregards every principle of justice, and tramples under foot the very objects for which government was instituted. The tendency of the Federal Government to consolidation and oppression, was apprehended by our revolutionary fathers, and so great was their opposition to the Constitution, that it could only be overcome by the strongest

assurances that the amendments now incorporated in that instrument should be immediately thereafter adopted. These amendments were designed as additional checks against an unlawful exercise of Federal power. But, alas, how futile are paper constitutions, in the day of profligacy and usurpation! Who could have imagined, four years ago, that this great Republic, boasting of its intelligence and of its sentiments of equality, would be now engaged in performing the drudgery of slave traders—kidnapping men, women, and children, for a slave market! Who would have believed this Government could ever be capable of waging a piratical war against an innocent, unoffending people, for the sole purpose of enriching the pockets of those who manufacture, and those who use, thumb-screws, chains, and fetters, and construct prisons in the maintenance of this horrid traffic? Good heavens! can it be possible that the Government established by Washington, Jefferson, and their compatriots, has engaged, in the middle of the nineteenth century, in what our own statute-book declares, in certain latitudes, piracy! Strange as it may seem, it is true. It remains to be seen how far the people are bound by the chains of party slavery to sustain and continue this unrelenting war against the African race.

Should the masses of the American people, after mature deliberation, endorse the princi-

Anti-Slavery
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1852

ple of "finality," which deprecates free discussion, and through the veto power place it beyond the control of Congress, we shall be compelled to say that the great Democratic principle of self-government in the United States has utterly failed. It will be following the example of the notorious Louis Napoleon, only to be less thorough in our work than the French usurper; for, while we rely on Baltimore platforms and Congressional resolutions to suppress free debate, he has taken the precaution to banish all the independent Democratic elements from the State, and placed a censorship over the press. This is the only *effectual* course to be pursued in this country, should we persist in carrying out the principles of the Baltimore platforms; nay, more, we shall find it necessary to strike at the root of the evil—suppress our free-school system, discontinue the telegraph, suspend internal and ocean steam navigation, provide for the rendition of Democratic agitators, Kossuth, Meagher, and many others who have fled to this "land of liberty" for refuge. They must be taken back to cruel despots in Europe, and there forfeit their lives, or be thrown into dungeons, for daring to speak in behalf of suffering humanity in their own country; for no one can fail to perceive that these various and powerful agencies are constantly diffusing knowledge; and the diffusion of knowledge, we know, tends to promote civil liberty and universal emancipation.

But, Mr. Chairman, I have too much faith in the integrity of the people, to believe them capable of descending to such depths of infamy. I do not believe that the Fugitive Slave Law of 1850 is approved of by the country generally. No, sir. If it were submitted to-day, directly to the people, I have no doubt it would receive the condemnation of *three-fourths* of the popular vote. It is the measure, alone, of a few strong partisan politicians, exceedingly ambitious of public notoriety and political power, who make politics a trade, and claim the control of Whig and Democratic organizations as a "patent right" during life. It was enacted by influences not very complimentary to Congress or to the country. I need only to refer to the fact that Daniel Webster and Mr. Fillmore abandoned the ground they had previously occupied on the slave question, and gave their influence for this measure. Several members of the House of Representatives, elected by Free Soil votes, and who were supposed to be true to liberty, were also persuaded to abandon the cause of freedom in New Mexico and Utah, and subject that immense tract of country to the control of slavery. These recreant Representatives, now holding office in the Government, (in my candid opinion, as a reward of their treachery,) contributed largely to bring about this humiliating and disgraceful state of things. But, though the minority has

triumphed over the majority, as usual, through the treachery of Northern Representatives, thus widening the sphere of slavery, yet I look upon it only as an incident in a war still waging in behalf of the poor and oppressed—a war that must, sooner or later, bring triumph to freedom. I say it is but an *incident*. Our enemies, in 1812, gained a like temporary victory when they took possession of this city and burned the public buildings. But their triumph was of short duration; and so, in my opinion, it will be with this high-handed piracy, now, under the name of law, engrafted on our statute-books. True, there is a dissimilarity in the manner of conducting these two wars, but a striking parallel in their origin and character.

The friends of freedom in America declared war against Great Britain, because she seized American citizens and made them slaves—precisely what the Hunker parties are doing in this country at the present day. This war on the rights of man has been the cause of every conflict among civilized nations. It has ever exhibited one class aiming to wallow in luxury and dissipation at the expense of the toil and labor of another class. All the bloody wars of Europe have arisen from this source. But our despotism is much more barbarous and cruel than that of many of the European States. In Russia, for instance, the families of slaves are never separated, nor taken from the homes where they are reared; while in the United States, under the ordinary laws of trade, a child is frequently taken from its mother, and the wife from her husband, and separated for life.

Sir, this is painful to contemplate. The greatest Republic on earth upholding an institution, of which even barbarous nations are becoming ashamed, and arraying itself, in this age of the world, against the spirit of progress and reform! It was not so once. The ship of State has drifted a long way from its moorings since 1776. In 1789, George Washington, at heart opposed to slavery, was an acceptable and successful candidate for the Presidency of the United States. In 1852, neither Washington nor Jefferson, were they living, could receive the support of either the Whig or Democratic party. Yes, it has come to this—that no man can receive the support of the Hunker Democracy of the country, unless he be in favor of slavery extension, and of the Fugitive Slave Law in particular!

During the first century of the Christian era, no person could be found willing to betray the cause of freedom for a less consideration than "thirty pieces of silver." But now, Mr. Chairman, there are numbers of United States "Commissioners" willing to perform the service for ten pieces. Treachery to freedom, opposition to reform, "finality" in iniquity, are now considered the cardinal principles of the Hunker Democracy. Hear the honorable gen-

tleman from Maine, [Mr. APPLETON,] a reliable expounder of this doctrine:

"The Compromise is only the first of old and established Democratic principles applied to a serious exigency in affairs."

What a strange backsliding! What a perversion of the name and principles of Democracy!

The honorable gentleman from Mississippi [Mr. WILCOX] remarked, in a speech made on this floor during the present session, that the time had arrived when we should return to cardinal principles in public affairs. I approve of this suggestion. It is precisely what we ought to do. When the patriots of the Revolution renounced their loyalty to George III, they uttered their bold and manly sentiments in these words:

"We hold these truths to be self-evident—that all men are created free and equal—that they are endowed by their Creator with certain inalienable rights—that among these are life, liberty, and the pursuit of happiness."

Now, sir, we should ever be conscious of this memorable truth, that these rights exist independent of Governments—that Constitutions and Governments are instituted to *protect*, not to *destroy* these rights. Our form of government, we all know, is of a mixed character. In the partition of power, as regulated and guaranteed by the Constitution, we find specific powers granted to the Federal Government, and certain specific powers granted to the State Governments. All power not granted to the Federal and State Governments, is reserved to the people, so that there exist three limited jurisdictions, to some extent independent of each other. I will illustrate: If the officers and legislators of the Federal Government should transcend the power vested in them by the Constitution, and lay violent hands on the treasury of any one of the States, with or without the forms of law, for the avowed purpose of self-aggrandizement, the State would have a right to resist, by force, the exercise of any such assumed power. Such a right is self-evident. So would an *individual* have the same right, in like circumstances. Neither the General nor State Governments possess any more right wantonly to rob a citizen of his property, than does a highway robber. The citizen is a sovereign judge of his self-evident, reserved rights, as much as either the State or Federal Government is, of rights delegated to it by the people; and he possesses the right to institute his own mode of defence, whenever those rights are assailed by violence.

Should, therefore, the General or State Governments undertake to seize your person for the purpose of selling you as a slave, or to deliver you up to some person claiming you as a slave, without any charge of crime, you would have the same right to defend yourself with deadly

weapons, as you would if attacked by pirates. It is a mistaken opinion, Mr. Chairman, though honestly entertained by many, that crime becomes sanctified when committed in the name of law. I am aware, sir, that this sentiment, in some instances, desecrates the pulpit, while heartless, dishonest politicians are found assenting to it; but I deny its correctness. It is the doctrine alone of tyrants and despots! The multiplication of numbers can never justify crime; neither can the high source from which it may emanate lessen its moral turpitude. It is crime still, and it cannot escape the penalty of God's violated law. Law, in the most exalted sense of the word, exists in the very nature of things. It is only the business of legislators to discover and enforce this law, so far as they have the power. Then, sir, if the *State* has no right to commit a great wrong upon any one of its people, it has no right to require *me* to do such an act.

But I am asked, who is to decide this matter? I answer, each man, individually, for himself. We should ever bear in mind the injunction, that we are to "obey God rather than man." Can a corrupt Legislature—can a miscreant "commissioner," who may be bribed for five dollars—lay down a rule which should govern, and justify the consciences of men in the kidnapping of their fellow-beings? Sir, I acknowledge no such censorship over my conscience! While I am forbidden by a law of Congress to give a cup of water or a crust of bread to the hungry and thirsty fugitive, or commanded to lay violent hands on his person for the purpose of returning him into a life-long bondage, rest assured, sir, I shall treat all such laws with contempt. I shall trample them under my feet, as an outrage on humanity and an insult to God.

Why, sir, if we become loyal to such despotism, and do acts that would disgrace a barbarian in a heathen land, we show ourselves unworthy the rich legacy bequeathed us by the fathers of the Revolution. In fact, we surrender every right guaranteed to us by the Constitution.

Were I to obey such a mandate, I should prove myself a knave or a fool—I should be a traitor to high Heaven. I am for retaining to the people all powers not granted to the General and State Governments, and for resisting every encroachment of Federal domination. So much, Mr. Chairman, for the character of the Fugitive Slave Law, its cruelty to the people, its disgrace to the country. I propose now to consider the arguments of its friends for its necessity, and continuance upon our statute-book.

It was said, and is still maintained by the authors of the late "Compromise measures," that, in adopting them, they but followed the illustrious example of our revolutionary fathers in framing the Constitution—that the slavery

question in 1788 was, as now, a very grave and serious one, and could be settled only by a "Compromise." The great difference, Mr. Chairman, between the Compromises of the Constitution, and the Compromises of the Fugitive Slave Law, consists in this: That was a Compromise of jurisdiction; this a Compromise of principle, like the one which Russia, Prussia, and Austria, made with Poland, when they blotted out her national existence, and divided her territory among themselves! Or the Compromise England made with China, when she sunk over thirty junks in one day, with all on board, because of their refusal to permit the sale of a poisonous drug in the Celestial Empire!

Sir, talk about "the Compromise," when it actually authorizes slave dealers, a ruffianly class, who are despised through the South, and looked upon as base and wicked by many slaveholders themselves, (how consistently, I will not say,) to scour the North, break up peaceful families, seize and carry off fathers and mothers into slavery for life, and even to require citizens of the free States to aid them in this most nefarious and revolting practice.

Why, sir, the very idea that this is the fruit of a "Compromise," is an insult to the understanding and to the moral sense of the age; for it compromises principle and character—everything dear to humanity—at the command of impudence and arrogance—crushing the weak and innocent in disregard of their most solemn protestations and prayers! The Compromises made by the framers of the Constitution, between the State and Federal Governments, was a very different matter. A part of the delegates, in Convention, were anxious that the Federal Government should be clothed with jurisdiction over the foreign slave trade, while a majority were unwilling to transfer this power from the States to the new Government; but they finally consented to do so, to take effect after 1808. Congress acted, without hesitation, upon the subject immediately thereafter, by declaring its further continuance piracy. That Mr. Chairman, did not look much like binding the General Government to sustain slavery.

Slavery needs no law but that of brute force. It presupposes the abrogation or absence of all law. Mr. Calhoun always scouted the idea that slavery existed by virtue of State laws. There is a wide difference between clothing Government with power to restrain crime and conferring power requiring its commission, and that is precisely the difference between the Compromises of 1789 and those of 1850. I know it is contended that power is delegated to the General Government to deliver up fugitives owing service or labor. This is denied by Mr. Webster, and by many other distinguished lawyers and statesmen, who say that the clause

in the Constitution touching this subject is only a treaty stipulation between the States. The honorable gentleman from Massachusetts, [Mr. RANTOUL,] in a very able speech on this floor a few days since, sustained this view. But suppose we admit, for argument's sake, that Congress has the power, under the clause by which apprentices and minors held to service have been returned, it does not follow that this power is to be exercised wholly regardless of the rights of humanity and the cause of justice. The war power in Congress is unlimited; yet who does not see the iniquity of declaring and maintaining war for the sole purpose of conquest and military glory? We can readily see, too, how the power providing for the surrender of fugitives from justice could be abused. Suppose the State of Georgia, for the maintenance of her "peculiar institution," should deem it necessary to pass a law making it death for any person to denounce the Baltimore platforms, or, what is the same thing, the Fugitive Slave Law, and an offender should escape into another State, would it be right to return such fugitive? I answer, no. The Federal Government was formed by those who believed in the "supremacy of God, the equality of man, and freedom of speech;" that laws were instituted to protect these rights, and that whenever they become destructive of such ends, it is the right of the people to alter or abolish them. Were the Federal Government to conspire or co-operate with a State in such tyranny, it would prove itself recreant to every rule of justice and to the great principles that called it into being. Mr. Lieber, of South Carolina, in his Political Ethics, discusses this question in regard to the duty of obedience to unjust laws with great fullness. Here is an extract:

"We must not forget that laws may be passed in regular and lawful form, and yet be clearly against the plainest rights of the citizens, although outwardly conformable to the fundamental law. There is, however, a fundamental law superior to any fundamental charter—that is, reason, right, and nature—and that superior fundamental law of all humanity requires, in cases of high conflict, first to be obeyed. An immoral law is no law, and my yielding to it or no is a mere question of expediency, just as I may or may not yield to the demands of a robber."

The exercise of constitutional power, then, vested in Congress is a matter of discretion—to be active or inactive, as the general good requires. This exposition is fortified by the opinion of Judge Thompson, of the United States Court. In the celebrated Prigg case, where the jurisdiction of Congress was involved in the extradition of persons held to service or labor, escaping from one State to another, he says:

"This legislation, I think, belongs more appropriately to Congress than to the States, for the purpose of having the regulation uniform throughout the States; but there is nothing in the subject-matter that renders State legislation unfit. It is no objec-

tion to the rights of the States to pass laws on the subject, but there is no power anywhere given to compel them to do it. Neither is there to *compel Congress* to pass any law on the subject. The legislation must be *voluntary* in both, and *governed by a sense of duty.*"

Mr. Chairman, I know it will be said that human laws, even in their greatest perfection, in many instances work injustice, and that it is impossible for the General Government, in the administration of law, to provide for such contingencies—that the laws of Congress proceed upon general principles, and must be faithfully enforced. But I am speaking of laws upon the statute-books of some of the States, which stand out in as bold relief, and far more barbarous, than the stamp act of 1776—laws that deny a certain portion of their population the benefits of common education, by making it a penal offence to impart instruction—laws that permit one class to trespass on the rights of another, even to sensualism and prostitution, and then order the visitation of the death-penalty on the innocent victim, who, in the act of self-defence, dares to strike the offender! These are the laws that Congress is called to make operative on the poor African, when he tries, through flight, to place himself in a condition of civilization and improvement! Sir, should not a Government, established to promote the general welfare, encourage such noble aspirations of the mind, rather than conspire with those who seek to suppress them, and to blot out God's image from the soul? I am bold to say, Mr. Chairman, that Congress, in enforcing the Fugitive Slave Law, under such circumstances, is indirectly violating the letter as well as the spirit of the Constitution, which provides that cruel and unjust punishments shall not be inflicted, to say nothing of the fifth article of the amendments, which declares, that "no person shall be deprived of life, liberty, or property, without due process of law." I repeat, that the law of Congress requiring its officers and the people to aid in recapturing those who have become free, as did our fathers, by their own noble exertions, under the Heaven-approved love of liberty, is contrary to justice and the law of God, AND OUGHT NOT TO BE OBEYED! I submit a few extracts from the best writers on natural law and the rights of man in defence of this position. Mr. Dane, a distinguished jurist of Massachusetts, who acted with Jefferson and Washington in adopting the proviso against slavery in the Northwest Territory, endorses this principle:

"Statutes against natural justice or equity, as where one makes a man judge in his own cause, is void."—5 *Dane's Abr.*, ch. 143, a. 7, s. 1.

He states this as a clear settled law, without exception or qualification.

Mr. Dane in another place says:

"Natural law, the foundation of ethics, being dic-

tated by the Deity himself renders all human laws invalid contrary to it."—6 *Dane's Abr.*, ch. 187, s. 42.

Again, Mr. Lieber says:

"*Ad turpia nemo obligatur.* No one is bound to do what is iniquitous. Mankind have uniformly agreed in applauding resistance to that which is iniquitous, because they have always either acknowledged or at least felt that man cannot lose his own moral value, his independent moral individuality, and that authority, even if supposed to rest upon some Divine origin, may be and ought to be either disobeyed or opposed, if it perverts its character, and demands things against God's laws, as expressed by Revelation, Nature, feeling of humanity, morals, reason, or physical necessity. When Charles IX, or his mother, issued orders to slaughter the Protestants in the provinces as they had been murdered in Paris on the eve of St. Bartholomew, several governors and other officers—Sully mentions seven—declined obedience. Viscount Orthez, or Ortez, commandant at Bayonne, wrote back—'Sire, I have found in Bayonne honest citizens and brave soldiers only, but not one executioner. Therefore, they and myself supplicate your Majesty to use our arms and lives in possible (*feasible* in the original) things.' He was right to call this demanded murder an impossible, an unfeasible thing for an honest man. Iniquitous things (*turpia*) are as to obedience as impossible (*impossibilia*) as physically impossible things."—*Political Ethics*, Book 4, s. 17.

The Mirror of Justice is an ancient work of considerable note. In a preface by William Hughes, to a translation of this work, published in 1642, he says:

"Sure I am that every law, custom, usage, privilege, prescription, act of Parliament, or prerogative, which doth exalt itself above or beyond the law of God, the law of Christ, or the law of Nature, hath ever, by the worthy sages of our laws, been declared to be void."

In Noy's Maxims, the work of a great lawyer, first published in 1641, which has passed through many editions, on the very first page we have the following:

"If any general custom were directly against the law of God, or if a statute were made directly contrary to the law of God, as for instance, if it were enacted that one should not give alms to any object in ever so necessary a condition, such a custom or such an act would be void."

E. P. Hurlbut, one of the judges of the Supreme Court of New York, in his *Essays on Human Rights*, published in 1845, says:

"There is, then, a fundamental law, the law of man's mental constitution, to which the framework of Government and all human legislation must conform. The citizen under Government has a right to look beyond the written constitution, to that higher, nobler, and diviner work, the *constitution of man*. Herein lies his protection against tyranny; and he is bound to seek it, lest by rendering blind fealty to Government, he may become a traitor to humanity; for 'resistance to tyrants is obedience to God.'

"Written constitutions are often regarded with as profound reverence as if they were the offspring of Divine inspiration. The people are taught that they are sacred and inviolable, and are exhorted to bring all laws to their high test, and to note every departure from their principles. This is well, if these constitutions are well; otherwise, not. So that the first exhortation should be to bring the written constitu-

tion to the test of the natural laws, to compare the constitution of government with the constitution of man, and see whether the former is founded upon the latter. The charter of man's rights and liberties is stamped upon his nature by the Sovereign of the Universe; and to this great charter man can never surrender the right of appeal, without being a traitor to himself, and to the Creator's laws."—*Hart- but's Human Rights*, pp. 32, 33.

Let me add the testimony of the Catholic denomination of Christians on the British Islands. Parliament, not long since, passed a law, forbidding the assumption of episcopal titles by the bishops of the Roman Catholic church, and yet this is the manner in which that law is treated by the "Tablet," the organ of the British Roman Catholics, with the hearty concurrence of the whole Catholic body:

"As to this last act of this Imperial Legislature, we must break it, or be unfaithful to positive obligations of duty which have a higher origin than secular legislation. We must treat it as we do a Parliamentary divorce, as a nullity in law, and a sin in morals. The truth is this: we must break the law, and the Ministers know it." * * * "An act of Parliament is not necessarily just, and therefore not necessarily binding. This is a truth which the Catholics of these Kingdoms have testified to, ever since the reign of Elizabeth." * * * "Even as a question of worldly policy, to say nothing of high principles and sacred obligations, this law is to be broken. It is the easiest and shortest road to victory, perhaps even to the conversion of England. A timid policy has done nothing but neutralize good works, and pave the way for apostasy."

Let me appeal again to South Carolina authority. In arguing a certain legal case, the counsel said:

"There are certain fixed and established rules, founded on the reason and fitness of things, which were paramount to all statutes; and if laws are made against these principles, they are null and void. For instance, statutes made against common right, and reason are void."—*S Rep.*, 118.

"The court recognises the principle by saying, 'it is clear that statutes passed against the plain and obvious principles of common right and common reason are absolutely null and void, as far as they are calculated to operate against those principles.'

"The court accordingly decided the case before it in direct opposition to the letter of the statute in controversy."—*Ham v. McClaws*, 1 *Bay's Rep.*, 93.

"In another case, in the same State, it was held that if absurd consequences, or those manifestly against common reason, arise collaterally out of a statute, it is void *pro tanto*.

"In another case in South Carolina, an act of the Assembly passed in 1712, was, in 1792, held to be void, because it took away the freehold of one man and gave it to another. The court said it was against common right, as well as against *magna charta*, to take away the freehold of one man and vest it in another, and that, too, to the prejudice of third persons, without any compensation or even a trial by the jury of the country; that the act was, therefore, *ipso facto*, void; that no length of time could give validity, being originally founded on erroneous principles."—*Bowman v. Middleton*, 1 *Bay*, 252.

I do not wonder at the animadversions of the Rev. Theodore Parker on the shameful conduct of the city of Boston, whose "pre-

judices" had been conquered by its distinguished leader. Mr. Parker's remarks are so appropriate and forcible, that I cannot forbear reading some extracts in relation to the case of poor Simms. He says:

"Out of the iron house of bondage, a man guilty of no crime but love of liberty, fled to the people of Massachusetts. He came to us a wanderer, and Boston took him into an unlawful jail; hungry, and she fed him with a felon's meat; thirsty, and she gave the gall and vinegar of a slave to drink; naked, and she clothed him with chains; sick, and in prison, he cried for a helper, and Boston sent him a marshal and a commissioner; she set him among kidnappers, the most infamous of men, and they made him their slave. Poor, and in chains, the Government of the nation against him, he sent round to the churches his petition for their prayers; the churches of commerce, they gave him their curse; he asked of us the sacrament of freedom, in the name of our God; and in the name of their trinity, the trinity of money—Boston standing as godmother at the ceremony—in the name of their God they baptized him a slave. Said the New England church of commerce, 'Thy name is slave. I baptize thee in the name of the gold eagle, and of the silver dollar, and the copper cent.'"

"Massachusetts took a man from the horns of her altar—he had fled to her for protection—and voluntarily gave him up to a bondage without end; did it with her eyes wide open; did it on purpose; did it in violation of her own law; in consciousness of the sin; did it after 'fasting and prayer.' Yet it was not the people of Massachusetts who did the deed; it was only their Government. The officers and the people, thank God, are something a little different."

"The stamp act levied a tax on us in money, and Boston would not pay a cent, hauled down the flags, shut up the shops, tolled the church bells, hung its authors in effigy, made the third officer of the Crown take oath not to keep the law—cast his stamp shop into the sea. The slave act levied a tax in men, and Boston fired a hundred guns, and said: 'We are ready; we will catch slaves for the South. It is a dirty work, too dirty for any but Northern hands, but it will bring us clean money.' * * "Boston told her servants 'by no means to join in any measure for countenancing and assisting in the execution of the stamp act.'"

This, Mr. Chairman, was the Boston of 1776, inspired with the patriotism and manly independence of the Osises, the Adamases, and the Hancock. But the Boston of 1850 submits to the kidnapping of her citizens in Southern cities, and even in her own; and so far dishonors herself as to join in the shameful work! Alas for our country! for Boston is not the only city in the United States that upholds piracy under the act of 1850. New York, Philadelphia, and Harrisburg, have all joined the oppressor in trampling God's poor under their feet.

The passage of the Fugitive Slave bill was a sad event to thousands of colored people and their friends throughout the free States. It was to them more terrible than the "disease that walketh in darkness and wasteth at noon-day." But hear Mr. Parker again:

"The word 'commissioner' has had a traditional hatred ever since our visitation by Sir Edmund An-

droes; it lost none of its odious character when it became again incarnate in a kidnapper. With slave-act commissioners to execute the bill, with such 'ruling' as we have known on the slave act bench, and such swearing by 'witnesses' on the slave-stand, any man's freedom is at the mercy of the kidnapper and his commissioned attorney. The one can manufacture 'evidence' or 'enlarge' it, the other manufacture 'law'; and with such an administration, and such creatures to serve its wish, what colored man was safe? Men in peril have a keen instinct of their danger; the dark-browed mothers of Boston, they wept like Rachel mourning for her first-born, refusing to be comforted. There was no comfort for them, save in flight; that must not be in the winter, but into the winter of Canada, which is to the African what our rude climate is to the goldfinch and to the canary bird."

Yet, sir, in view of all this, we find ourselves surrounded with leading public men who profess to be lovers of justice and order, more clamorous for power and the spoils of office than for the maintenance of principle and the integrity of the Union. Their programme is already before the people, indicating a determination to break down the great bulwarks of religious and civil liberty—the right of trial by jury and the freedom of speech.

Mr. Chairman, this threatened subversion of our constitutional liberties naturally forces upon our consideration two important questions. First, what has brought this disgrace upon our country? Second, what are the instrumentalities to be used for its removal?

I answer the first inquiry, by stating that it is *African slavery at the South, and party slavery at the North*—the former always controlling the latter, for its own maintenance and benefit. And, in passing, let me remark, that of these two kinds of slavery, I consider the slavery of party, by reason of its voluntariness, infinitely more base and self-degrading than African slavery. It blunts the conscience; it paralyzes all the heavenly aspirations of the soul; it destroys individuality, and every lofty attribute of the heart and mind. Such a slave knows no higher loyalty than obedience to the decrees of his "party." He is bound at all times to give his undivided support to the "regularly-nominated candidate," without regard to character or fitness; he feels it his duty to aid in the execution of all laws found on the statute-book, no matter how barbarous in principle or cruel in their operation. Should the officers of the Government demand his services to aid in the murder of innocent children, as did Pharaoh and Herod, his duty binds him to render such aid. Nay, more: Should he be required to bow down and worship an image, such as Nebuchadnezzar set up in the plains of Dura, or to go still further, and enforce the Fugitive Slave Law, he readily obeys, asking of himself, as did the ancient Hunker Jew, "Why are laws made, if not to be observed?" Such is party slavery, and such

the drudgery of those who are bound by causes and conventions of dishonest, heartless politicians. This bondage to party is directly at war with Christianity, and tends to the overthrow of the great principles of republican Government. In short, it is gross infidelity and atheism, and the source of all the ridicule we hear, in and out of Congress, of the "higher law," which is but another name for the "law of God!"

But 'to return to the questions just propounded. I have answered the first inquiry, by asserting that the cause of all this disgrace and degradation is African and party slavery. In proof of this, allow me to call your attention to the conduct of the late Hunker Democratic Convention at Baltimore. Such confidence had the leaders of that Convention in the servility of its members, that a committee was appointed to draft a platform which should govern the party at the ensuing election, and a large number of copies were ordered to be printed before it was submitted to the action of the Convention. Nor were they disappointed; for in due time, as a matter of course, and of mere form, the Convention passed upon it, and the printed copies were forthwith distributed! That was a time-saving process, I doubt not, Mr. Chairman; but surely little else can be said in "extenuation of this "go-it-blind" policy."

A distinguished member of this House, [Mr. RANTOUL,] who was elected a delegate to that Convention, but suspected by it of not being true to despotism, was asked if he would support the platform. He replied that he should do his own thinking. This was enough—nothing less than an open war on their platform. The Committee on Credentials, so called, immediately reported against him, and he was thrust out of the synagogue of Hunkerism. It seems, Mr. Chairman, that the "good time coming," so long prayed for by slave traders and slavery propagandists, when the two great Hunker parties should see eye to eye, has arrived. They have constructed platforms almost identical in character and aims. The prominent feature in both these creeds is the "divine right"—*negro catching*, and the suppression of all discussion, both in and out of Congress, calculated to render that employment disreputable. The Hunker Democrats have nominated Franklin Pierce, of New Hampshire, as a suitable man to carry out their principles. Hear what the New York *Tribune* says of him:

"The Union does not contain a bitterer or a more proscriptive pro-slavery Hunker than Franklin Pierce. For years he has been foremost in stifling every aspiration for freedom among the Democracy of New Hampshire. He insisted that John P. Hale should be ostracised and crushed, because he refused to vote for the annexation of Texas, without a stipulation that some part of its immense unsettled territory should be secured for free soil. The *Post* has

still more recently seen this same Frank Pierce deprive John Atwood of his nomination for Governor, and drive him out of the party, for nothing else than expressing his repugnance to the Fugitive Slave Law. In all New England, slavery and slave catching have had no more unscrupulous, thick-and-thin servitor, than this same Frank Pierce."

Says the honorable gentleman from Tennessee, [Mr. GENTRY,] "Honor to General Pierce, if the *Tribune* truly states his position, as I believe it does." Thus we see a leading member of the Whig party endorsing Frank Pierce, because he is against freedom among the Democracy of New Hampshire, and in favor of the Fugitive Slave Law—a law which Mr. APPLETON, of Maine, says is the result of a great Democratic principle! We have now presented to us two "great parties" standing on the same platform, embracing "fundamental principles" which are considered the very perfection of all human and divine legislation—nothing less than a "finality!" Now, sir, inasmuch as, in their opinion, this law has become like the laws of the Medes and Persians, which change not, I have thought proper, for the benefit of the great mass of the people, and for those who may hereafter become converts to this new system of political ethics, to put these "finality" measures into a more definite form, or creed, as they apply to the existing state of things. It may read thus:

I believe in the great Democratic principle of supporting the regular nominee, right or wrong, providing always he is in favor of the Fugitive Slave Law and the Compromise measures.

I believe that slavery is a cardinal principle in civil government, ordained of God, conservative in character, and the chief corner stone of Democracy!

I believe in the Baltimore platform, which deprecates free discussion, both in and out of Congress, on the subject of universal liberty.

I believe in the Constitution of the United States, as interpreted by slaveholders, and repudiate any "higher law" as fanatical, because at war with Christianity and the perpetuity of the Union.

I believe that man was made for the Constitution, and not the Constitution for man.

I believe that the highest felicity to be attained in life consists in the honors and emoluments of office, and that, in acquiring them, the end sanctifies the means.

I believe in the doctrine of non-intervention, except in the United States; that is, should any of the people of the slave States attempt to become free, that it would be the duty of the Federal Government to interfere with force of arms against such a traitorous attempt!

I believe in the "Compromise measures" as a "finality," and that the Fugitive Slave Law should be considered a part of the Constitution; that it is humane and kind, because it

seeks to elevate the colored race; and that every person gives new proof of his fidelity to the "Union" when he refuses a cup of water or a crust of bread to any poor, panting fugitive, who has had the audacity to run away with himself!

I believe that the General Government performs a high and patriotic duty in recapturing and returning to bondage every person who arrogates to himself the right of freedom without the consent of his master.

I believe that slavery is right *per se*—that it exists independent of law—hence the imprisonment of runaway slaves on charges of "theft," in order to get possession of their persons, is neither in derogation of law nor equity, but in perfect keeping with the spirit of slavery.

I believe that the repugnance felt at the falsely-styled "bribery clause" in the Fugitive Slave Act, and the strong opposition shown by the fanatics of Massachusetts to South Carolina and Louisiana making slaves of her citizens, as also the weeping and wailing of the wives of fugitive slaves, when they see fetters and handcuffs riveted on the limbs of their husbands, and know that they are separated from them forever, are merely the results of a "sickly sympathy," unworthy the consideration of true republicans!

I believe that slave traders and slaveholders have a property right in their slaves, which "two hundred years of legislation have sanctified," and that the laws of many of the States, making it a penal offence to impart instruction to a slave, are compatible with, and essentially necessary to, the preservation of that right.

I believe that the laws forbidding any colored person to testify against a white man, for injuries committed on one of his own race, are in keeping with slavery; and that the death penalty enforced upon persons of color for striking a white man, even though it be in defence of life or personal chastity, and their own so-called "natural rights," is a wise and salutary law, and necessary to the perpetuation of the "peculiar institution."

I believe that the words in the Constitution, "to establish justice and promote the general welfare," mean the maintenance of slavery in the District of Columbia, the coastwise slave trade, the catching and returning of negroes to slave dealers and slave owners.

I believe that the great mission of this Republic is to teach other nations by example; and that the law in the District of Columbia, authorizing the imprisonment and sale for jail fees of every colored person who cannot prove himself free, and who is not claimed by a slaveholder, affords a powerful lesson of instruction to foreigners and foreign ministers; that it serves to give character and stability to our "cherished institution" at home, and shame despotism abroad.

I believe that morality should have no influence over us in the discharge of our political duties, for the obvious reason that it would lead to a union of Church and State.

I believe that the protection of commerce by the General Government, in the improvement of harbors and rivers, serves to disturb the "equilibrium of the States," by too rapidly building up the free Northwest, and weakens the Union, and therefore ought not to receive the countenance of the Government.

I believe that despotism and freedom are antagonistical to each other—that either one or the other must rule; and as the former is national and the latter sectional, that slavery should always hold the reins of Government.

I believe it to be the duty of the people, in choosing their Chief Magistrate, to elect a President that will appoint pro-slavery Judges and Governors to preside over the Territories, who shall annul the "sickly" anti-slavery laws left in full operation over this vast country by the barbarous Mexicans, that a proper foundation may be laid for States which shall be truly national in character, repudiating the vulgar notion of liberty and equality as sectional and fanatical.

Lastly, I believe that the success of Pierce and King, or Scott and Graham, will be the success of slavery and of the "Compromise measures."

I have thus, Mr. Chairman, endeavored to give a plain view, according to my understanding, of the principles of the Baltimore platform, and of the policy they seek to enforce. If I have erred in drawing the picture, I beg to be corrected by the "knowing ones," among the chief priests of Democracy around me. In justice to the candidates, let me quote some of their own words. General Pierce says, "he has consistently accepted the nomination upon the platform adopted by the Convention, not because this was expected of him as a candidate, but because the principles it embraces command the approbation of his judgment, and, with them, he can safely, as well as truly, say, there has been no word or action of his life in conflict." Mr. King said, in discussing the slavery question, that the Legislatures of the newly-acquired Territories had no power to pass any law to destroy slavery, but, on the other hand, they were bound to pass laws for its protection. General Scott says he accepts the nomination with the platform of the Convention. But, sir, I am dwelling too long on these broad and patriotic principles of the Hunker Democrats. I will now say a word or two about the policy of the Hunker Whigs, who are waiting so impatiently for my testimony, to show their fidelity to the slave power. I was forcibly struck with one idea in the Whig platform, in relation to our duty towards other countries, now struggling for freedom, which declares

that we "are not to impose upon other countries our opinions by artifice or force, but to teach by example." Now, sir, we all agree in the propriety of teaching by example, though we may differ widely as to the character of the lessons we are to teach. The Algerines taught by example. Gibbs the pirate, taught by example. Nero taught by example. England, in her doctrine of "constructive treason," under James II, and in her subsequent conduct towards the American colonies, taught by example. She is now teaching by example, in crushing the patriotic hearts of Ireland. Russia taught by example, in her intervention policy against the liberties of Hungary. She is now teaching by example in seeking to subdue the German States. Yes, sir, this is teaching by example; but an example that carries with it devastation and ruin at home and abroad. It is an example of scaffolds and prisons—an example that crushes female innocence, sacrifices noble and patriotic hearts, and enslaves the people. Are these the lessons we are to repeat in teaching foreign countries by the force of "example?" While all Europe is striving to throw off the yoke of despotism, are we the people to suppress free discussion or "agitation," in order to teach by "example?" Shall our vast country be converted into slave territory, and twenty-five millions of people be made slave hunters, with the same benevolent view?

Sir, if this prove to be the settled policy of the United States, I will confess I have read history and studied human nature to little purpose! But it cannot be. The great extent to which the blind and reckless spirit of party slavery is now cherished, is a *presage* of its own dissolution, and that, too, at no distant period.

Mr. Chairman, I have alluded to the abuse of political power by James II. Permit me to run the parallel between the policy of the English Government immediately preceding the revolution of 1688, and that of the present Administration of the United States. It will be remembered that the liberties of the English people were guaranteed by a written Constitution similar to our own. The King, to remove this serious obstacle to the restoration of absolutism, had recourse to the doctrine of "passive obedience," and the subserviency of a judiciary that sympathized with him in the great object of his ambition.

This is precisely the course pursued here. James appointed Jeffries to construe the laws and Constitution of England. Our Government has selected a majority of the Supreme Court from that class who have received their education under the influence of Southern institutions and habits, to construe the Constitution and laws of the United States.

Now, sir, let us look a moment at the application of these principles as they were administered in England, and as they are attempted

to be enforced in this country. The King, by a perverted construction of the British Constitution, through the notorious Jeffries, and by the popular sentiment of *passive obedience* among the people, found himself clothed with absolute power; and from this period in English history date some of the most bloody cruelties and judicial murders, perpetrated under the doctrine of "constructive treason," that can be found in the annals of the world. It appears that the King, at this time, embraced similar views of personal liberty to those represented in the Whig platform—sentiments that he wished to maintain as a "finality." He, aided by other branches of the Government, had made this "Compromise" for the "preservation" of the British Empire, and "deprecat" further "agitation" of the subject. It was for "agitation" and disturbance of that "final settlement" that so many generous and patriotic citizens of England were executed. Alice Leslie, known as the Lady Alice, was the first victim that suffered for indirectly encouraging a disturbance of the "finality measures." Her life was taken for the hospitable entertainment of one who advocated liberal views in relation to government and the rights of the people. I quote from Macaulay's History:

"The jury, at first, were inclined to acquit the prisoner, but the Government had determined she should be sacrificed, and an influence was exerted on the jury to return a verdict of guilty. On the following morning sentence was pronounced. Jeffries gave directions that Alice Leslie should be burned alive that very afternoon." * * *

"A few other cases deserve special attention. Abraham Holmes, a retired officer of the Parliamentary Army, and one of those zealots who would own no king but King Jesus, had been taken at Sedgemoor. His arm had been frightfully mangled and shattered in the battle; and, as no surgeon was at hand, the stout old soldier amputated it himself. He was carried up to London and examined by the King in Council, but would make no submission. 'I am an aged man,' he said, 'and what remains to me of life is not worth a falsehood or a baseness. I have always been a republican, and am so still.' He was sent back to the west and hanged. A woman, for some idle words such as had been uttered by half the women in the districts, was condemned to be whipped through all the market towns in the county of Dorset. A still more frightful sentence was passed on a lad named Tutehen, who was tried for seditious words. The sentence was that the boy should be imprisoned seven years, and, during that period, be flogged through every market town in Dorsetshire every year. The women in the galleries burst into tears. The clerk of the arraigns stood up in great disorder. 'My Lord,' said he, 'the prisoner is very young. There are many market towns in our county. The sentence amounts to whipping once a fortnight for seven years.' Tutehen, in his despair, petitioned, and probably with sincerity, that he might be hanged."

Another painful case of this constructive treason was the execution of Elizabeth Gaunt, for harboring one Burton, who was hostile to the Government. This Burton was then opposed to the King's "Compromise measures,"

but afterward changed his politics, went over to the Government, or Hunker party, and informed against Elizabeth Gaunt. She was tried and sentenced to be burned at the stake for this very act of friendship toward her accuser when his life was in great peril.

"The cruel and vindictive decree was soon after carried into effect at Tyburn.

"She left a paper, written, indeed, in no graceful style, yet such as was read by many thousands with compassion and horror. 'My fault,' she said, 'was one which a prince might well have forgiven. I did but relieve a poor family, and lo! I must die for it.' She complained of the insolence of the judges, of the ferocity of the jailor, and of the tyranny of him, the great one of all, to whose pleasure she, and so many other victims, had been sacrificed. In as far as they injured herself, she forgave them; but, in that they were implacable enemies of that good cause which would yet revive and flourish, she left them to the judgment of the King of kings. To the last she preserved a tranquil courage, which reminded the spectators of the most heroic deaths of which they had read in Fox." * * *

"When she calmly disposed of the straw about her in such a manner as to shorten her sufferings, all the bystanders burst into tears."

Mr. Chairman, I ought to mention that many of the clergy of that day openly and boldly denounced the cruelties of the Government, some of whom escaped the King's vengeance; among them was the Reverend Samuel Wesley, father of John Wesley, who has given slavery the most truthful and appropriate epithet it has ever received, viz: "The sum of all villany." Mr. Wesley had been commanded to preach obedience to the "compromises and usurpations of the King. He preached, but spoke from this text: "Be it known unto thee, O King! that we will not serve thy gods, nor worship the golden image which thou hast set up."

Sir, doctrines which led to such atrocities as these, are now sought to be established among us! Take the Christiana case. It convicts our Government of attempting to go further in this infernal "constructive treason," in some respects, than did the bloody Jeffries himself; for Jeffries never sought to establish treason against persons not entitled to the protection of the Government, while in the Christiana case, some of the persons charged with treason, were known to have been declared outlaws by the Fugitive Slave Law. We all know that this infamous law strips many of the citizens of the free States of every political right, and authorizes kidnappers to "seize them by force, and even aids in the crime by furnishing men and money; and offers a standing bribe of five dollars to every man who is mean enough to act as "commissioner" in this solemn mockery of judicial proceedings, to ascertain whether an innocent man has a right to himself! The citizens of Christiana, for acting out their noblest instincts in self-defence against a violent and personal attack, were charged by our Government with "treason." What an insult to the Ameri-

can people! What a disgrace to human nature! And this we call constitutional liberty, do we? Is it "promoting the general welfare" to declare, by a law of Congress, a part of our population outlaws, without any disloyalty on their part, and then to charge them with treason for defending themselves against an attack of marauders and barbarians? Thank God, our courts have not quite come yet to the support of such an infamous doctrine as that of "constructive treason!" Had the Government succeeded in this conspiracy against the liberties of the people, and undertaken to enforce the penalty for treason, Mr. Fillmore and all his coadjutors would not only have discovered the striking parallel in their conduct to that of James II, but would have experienced a like disastrous fate. They would have been permitted to remain in this country only as inmates of a penitentiary or a State prison. No, sir; this principle of "constructive treason" can never be permitted to take root in these United States! The Whig leaders have made rapid strides in this age of progress—have risen far above the sectional views of Washington, Jefferson, and Hamilton, who were for "localizing, circumscribing, and discouraging slavery."

The Whig party was told by its leaders, at the Baltimore Convention, that, if they would do what had never before been required of them, viz: endorse the kidnapping law, and pledge themselves to discountenance freedom of speech, they should not "surely die," but live forever; that they would become a great and successful party; that, in this process, the party would become nationalized; comprehensive in its views; practical in its movements; brilliant in its career! It remains to be seen whether this be true or false prophecy. But, if we are to judge from isolated cases that have come under our observation, it would seem that this process of nationalization is, after all, a hazardous experiment. Mr. Cass was "nationalized" by the Nicholson letter in 1848. We know the result! McGahey, Walden, and Eliot, Representatives of the free States, were "nationalized" two years ago, in voting for the Fugitive Slave Law. Where were they at the subsequent elections in their several districts? The late candidates for the Presidency were "nationalized" when each promised in advance, if elected Chief Magistrate, to defeat the will of the people, in a given case, by the veto power. Where are they? The President, too, was "nationalized" in signing the kidnapping law, and making it operative by calling out the army and navy. His name was placed before one of the late Conventions. Sir, you know the result. And what shall we say of the great expounder of the Constitution? He was nationalized on the 7th March, 1850, in the Senate of the United States, by ridicu-

ling the Wilmot Proviso, and has become still more distinguished since, by attempts to "conquer the prejudices" of Massachusetts, and establish the doctrine of constructive treason. Aptly may he repeat, now, his famous questions: "Where am I?" and "Where am I going?" The unrivalled Senator, and accomplished Secretary of State, after sacrificing all to please his Southern friends, received not a single vote from them in return, when his name was presented for their suffrage! Alas! these men, in the language of the distinguished member from Ohio, [Mr. GIDDINGS,] "all died of eating Southern dirt!" Sir, history is full of such instructive lessons. They are read in the fate of Charles I, in the melancholy career of Bacon, Wolsey, and a host of others.

Mr. Chairman, whatever may be the immediate result of this stigmatizing as well as nationalizing process upon the two old parties, one thing is certain: the friends of freedom have gained something—nay, a vast deal—in that they have driven the leaders of party slavery to avow, openly and boldly, what the third party has charged upon them for years, but which has always, till now, been denied, viz: that they love offices and honors more than the great principles of right and humanity. This is a glorious victory. We see, now, more distinctly the great national ulcer which is gnawing at the very vitals of the Republic! Sir, as soon as the great body of the American people, who are neither expecting nor wishing office, shall understand the real object in constructing such infamous platforms, they will be swept away, with all who stand upon them, like the spider's web before the morning blast.

Mr. Chairman, having explained, briefly, the sources and character of despotism, as it exists in these United States, I proceed to show what are the proper instrumentalities for its overthrow; and, in doing so, I need only point to the means now in successful operation for the attainment of this most desirable end. They are simple and easy—practical and certain in their results. They consist in persuasion and argument, and in a proper expression of correct sentiment through the ballot-box. They require us, when we pray for just rulers, to be earnest and sincere, and see that our votes correspond with our prayers; to vote for such men, and such only, as represent our principles, and possess the integrity and firmness to maintain them, at all times, and under all circumstances—men who reject the stale and false argument that we are to endorse one great political wrong to destroy another, men who do not expect to improve the condition of society through unprincipled majorities and stratagem in legislation, but by a practical illustration, in themselves, of a genuine Democracy, marching steadily forward to victory—a victory that will relieve the child of misfortune, and let the op-

pressed go free. Such are the means and such the motives of those who are ardently devoted to this great work of separating the Federal Government from the voluntary political slavery of the North, and the involuntary personal slavery of the South. A history of the many and severe conflicts, during the last few years, between the advocates of freedom and the friends of oppression, would be interesting and instructive, but I have not time to enter upon it now. Let it suffice to say that the little band of Free-Soilers, during the organization of the thirty-first Congress, by their integrity and firmness, drove the two old parties into an alliance with each other for self-preservation, under the leadership of Henry Clay and Howell Cobb. There they have remained ever since, and now stand as a body-guard to slavery, on the same platform—the watch-tower of the “peculiar institution.” And, as remarkable as it may seem, the Democrats feel proud of their position, if we may judge from the remarks of Mr. Senator CLEMENS, a few days since, in his eulogy on Mr. Clay, of whom he said:

“He lived long enough to see the accomplishment of this last great work of his life.” * * * “Both of the great parties of the country have agreed to stand upon the platform which he erected, and both have solemnly pledged themselves to maintain, unimpaired, the work of his hands.”

Sir, I know not how these remarks impressed others, but to me it appeared that the Hunter parties were held up to the world as occupying an extremely humiliating position—the Democratic party especially. Behold an organization, which has been opposing the great deceased Whig leader for more than twenty years, overcome and placed on a miserable “finality” creed, formed and fashioned by this same leader himself! Alas! how have the mighty fallen! A party which had driven back the British lion—a party that had spoken eloquently in behalf of Greece, and ably defended the independence of the South American States, humbled and brought low by its own infamy! When I heard this allusion of the Senator, I could not help picturing to myself the ridiculous spectacle presented by this great party, standing on the Compromise measures, with its lips locked, and the key in the slaveholder's pocket! Shame on the party whose policy has led to such a fate! Shame on the parties, and on the men, who have become slaves to a policy so contemptible and degrading!

Mr. Chairman, it is true there is a faint show kept up of two political parties, under the names of Whig and Democrat; but it is all hypocrisy, designed to deceive the people, and no member of this House pretends to deny it. Every political man throughout the country, who has observed the course pursued by Whigs and Democrats for the last two years, knows that the affinity in sentiment and feel-

ing is infinitely stronger between these so-called parties than between the sections of which each is composed. The two creeds recently constructed at Baltimore are so nearly identical as to leave no doubt on this point. Indeed, their similarity has spontaneously drawn from the people the title of “Siamese platforms.” The only issue in the canvass for Scott and Pierce, is their own comparative personal popularity. It is evident, then, that so far as political principles make parties, (and I know of no other element that will sustain a political party long,) there are now, practically, but two parties in the country. The Whigs and Democrats, being united on all the great questions now absorbing public attention, form the party of retrogression; the friends of freedom form the other, which may emphatically be styled the Party of Progress.

Sir, in the history of American independence, we discover four important epochs, each marked by high political excitement on great political questions.

The first was the conflict between the Colonies and the mother country; the second, on the alien and sedition laws; the third, concerning the rights of American seamen; the fourth, in regard to the National Bank. In all these great struggles for political ascendancy, there was on one side a conservative, retrogressive party, and on the other a Democratic, progressive party. The party of freedom, in every contest, was triumphant. It will be so in the present struggle, marking the fifth epoch. To be sure, the Hunters *talk* about “reform.” So did George III; so did the enemies of progress when they undertook to put down freedom of speech under the sedition laws; so did the bankites, when the officers refused to permit an examination of their books. There were no means proposed for the relief of the poor and oppressed then; neither are there now; but, on the contrary, every member of the fraternity is forbidden, under pains and penalties, to plead their cause, “both in and out of Congress,” in the social circle, and through the press. Oh, most pitiable humiliation! It has left them not so much as the certainty of a mess of pottage in exchange for their birth-right!

The Progressive party, Mr. Chairman, demands personal liberty for all the people, wherever the General Government has jurisdiction; freedom of the public lands to actual settlers; the homestead exemption; the election of President, United States Senators, and Postmasters, directly by the people; the reduction and reorganization of the army and navy; the protection of commerce in the improvement of harbors and rivers; cheap postage, and freedom of speech and of the press on all subjects, not excepting the immaculate Baltimore platforms, or even the Constitution itself. Let the

people judge which class of measures tend most to advance civilization, protect the liberties of the people, and perpetuate republican institutions.

Sir, I have before me an address on this subject, written by an able Democratic editor of Wisconsin, (the Hon. C. L. Sholes,) from which I will read merely a paragraph:

"But this whole question of slavery has to me a deeper significance than appears on its face. It is but a part of the great strife which is now agitating the world, between wealth and idleness on one hand, and honest labor in all its conditions on the other. Slaves are held because they labor, and enable the master thereby to riot in idleness. It is not the *individual* who is enslaved, but it is *labor* that is bound and cast at the feet of idleness. The slave-hunter does not scour the country to find his human chattel, simply because he wants the *man*, but because he wants the *labor* the man represents. When, then, we are called upon to aid in slavery extension, we are called upon to put labor in chains and under the lash in a new extent of country; and when we are called upon to chase and chain a slave, it is to run down and tie up so much labor as dwells in his muscles and sinews. It may do for wealth, and idleness, and aristocracy, to do these things; but every man whose standing and interest depend on honest labor, when he acquiesces in or permits these things, is binding the chains upon his own limbs—is degrading his own calling, and lowering his own standing. If the slavery principle finally triumphs in our Government, then idleness has got the upper hand of industry. And think you its effects will never be felt north of Mason and Dixon's line? It is no longer the black man who is slave to the white, but it is labor that is enslaved to idleness; and the slave will be the laborer, whatever his color, and the master the idler, whatever his color. The strife is, whether our Government shall be the Government of the laboring masses, or the Government of the few idlers; and the triumph of slavery is of necessity the triumph of idleness against industry."

This, sir, presents the *real* issue, not only in America, but on the Eastern Continent. Europe is at this moment rocking to and fro with mingled emotions of sympathy and indignation. This undying principle, love of liberty, will soon burst forth in some of the transatlantic States, with a burning lava more destructive to tyrants and despots than was that which buried the cities of Pompeii and Herculaneum.

I rejoice to see the true friends of freedom in this country waking up to the universality of this great struggle for constitutional liberty. Kossuth, the patriot and statesman, the great apostle of freedom, has done much to awaken the sympathies and energies of all true republicans on both sides of the Atlantic. This great chord of sympathy must hereafter be kept alive and cherished, by advocating, in Europe and America, a just and liberal domestic and foreign policy in governmental affairs. Kossuth has uttered many truths on this subject, which will sink deep into the American heart. Meanwhile we are having practical illustrations of the overbearing and centralizing power at home, which are opening the eyes of the

people to the real danger that surrounds us. If the laws of nations are to be made operative anywhere, they certainly should be enforced in maintaining the rights of individual States throughout the civilized world. While the advocates of despotism, both in Europe and America, sympathize with each other, and form leagues to strengthen oppression, should not equally efficient means be instituted, by the friends of Progress, in support of law and order? Yes, sir, the time has arrived when we should not only speak, but *act*, on this subject. Hear a few words from an address read a short time since in London, as was drawn up by the friends of Italy, with Mazzini at their head:

"You must tell your workmen not to fear that the agitation for international mastery should prove a deviation of forces from vital internal questions; that the very existence of the actual Cabinet sprung up after the establishment of despotism in France, shows how connected European enemies are; that the death-blow to despotism and aristocracy on the continent would be a death-blow to British aristocracy, and that the emancipation of the working classes is not a mere interest, but a principle, which is to be conquered everywhere or nowhere. We trust you for the fulfilment of this task. Trust us for the accomplishing our own. And may this mutual trust and active co-operation toward a single aim be the forerunner of that alliance that we have long dreamed of, for the general good of humanity, as of a national one between new-born Italy and England."

Sir, let the friends of the same common cause in America so acquit themselves at the polls on the great question soon to be presented for their suffrages, that it may be said they too can be trusted with the part assigned them in this glorious warfare. Our duty is plain, our prospects encouraging. True, some have deserted and gone over to the enemy; but this should neither surprise nor alarm us. Such apostacies are incidental to all great struggles for independence and reform. It was the case in the American Revolution. It was the case when the Hungarian General Gorgey forsook Kossuth. He reasoned just as some Free-Soilers do now, that he could "do more good" to the cause of civil liberty with Haynau and Nicholas, than he could by remaining in a republican minority in Hungary. All who pursue this course, in my opinion, do great injustice to themselves and to their country, and they will sooner or later both see and feel it. It is a consolation, however, to those who remain steadfast to principle, that hundreds and thousands of noble minds and stout hearts are leaving the old parties and coming to our aid in the great battle yet to be fought in behalf of freedom! And truly may it be said that the struggle is but begun; for behold what an immense extent of our new territory (large enough for fifty States!) still lies subjected to the inexorable grasp of slavery, which is meanwhile seeking fresh aid from pro-slavery Administrations to thwart the beneficence of

Mexican laws that wisely re-enacted the laws of God. In fact, this is the great object now to be attained by slavery propagandists. This will appear more evident by adverting to the last great speech delivered by the honorable Senator from South Carolina, [Mr. Rhett.] In that speech he dwells at some length on the imminent danger to Southern institutions from appointing judges and marshals to preside over the Territories who are not reliable in construing and enforcing the law of slavery. The enthusiastic manner in which Mr. Rhett and his party support Pierce and King, shows their entire confidence in the ticket in regard to this point. Let no man, then, fold his arms with the delusive argument that this question of slavery in the Territories is settled.

Mr. Chairman, I have spoken frankly and freely of the political condition of the country. I have animadverted upon the profligacy of party, and party machinery, and of the recreancy of its leaders who assume to direct the Government. But, let me assure you, it is from no other motive than to express my own views, and the views of those who sent me here, on the great question before us, and what I conceive to be our duties and responsibilities at the present crisis.

No well-informed mind, sir, will deny that we possess an important influence in the family of States, and that we can wield it for weal or for woe, both in regard to ourselves and to the destiny of nations. The Constitution of our country guaranties to us the legitimate and only efficient means of all reform—freedom of speech and of the press. "These rights are inestimable to freemen, and formidable to tyrants only." They are now openly and boldly attacked. The arguments used against these peaceful remedies for the evils that afflict our country, is, that the Government is too weak to bear up under the agitation or free discussion of a question "so delicate" as that which relates to the rights of *all* the people; that such discussion serves to disturb the public peace, and to endanger the perpetuity of the Union. What a sad comment on our political institutions! How cheering to tyrants, how discouraging to the victims of oppression! Sir, this is a libel on the American People, and I hurl back the foul aspersion upon the heads of its authors! This great guarantee of our *magna charta* of free discussion is held dearer by every true republican than life itself. We cannot forget that it was purchased by the struggles and sufferings of our illustrious ancestors, for the maintenance of which they pledged their lives, their fortunes, and their sacred honor. Can we do less? If we are legitimate sons, we shall rush to the scene of battle, and resist these conspiracies lately formed at Baltimore for its overthrow. The enemy is now fairly in the field, with the two old parties forming the right

and left wings of his army, inviting a conflict. Who are the men to volunteer? We have them in the country. Let the occasion bring them out! We want no mere hirelings. We desire none but volunteers who enlist to serve during the war. With such recruits, our enemies will find that they have engaged in a serious contest, with fearful odds against them. "Can a league formed against the Almighty prosper?" Gentlemen should remember that it is not the feebleness of numbers against which they contend, but a mighty under-current of truth, that laughs at majorities, and controls or sweeps them away in its onward career.

True, the great Being that upholds and protects us all, is kind and long-suffering, and is even now speaking to us in the language of inspiration—"Come, let us reason together; though your sins be as scarlet, they shall become white as wool." Yet the Hunkers, in the pride of their numbers, have repudiated "reason," and have closed the door against it by the decree of "finality."

Sir, these conspirators against the liberties of the people may persist in this war against freedom; but they should remember that God cannot take sides with the oppressor; and that, unless history and revelation prove a falsehood, unless justice and the Divine law prove a fiction, they must utterly fail. It is but a question of time, and the prospective victors can afford to "wait a little longer."

Hear the words of a distinguished statesman, [Mr. Soule,] uttered a few weeks since, in the Senate:

"We boast exultingly of our wisdom. Do we mean to hide it under a bushel, from fear that its light would set the world in flames? As well might Christianity have been confined to the walls of a church, or to the enclosures of a cloister. What had it effected for mankind, what had it effected for itself, without the spirit that promulgated it to the world? Onward! onward! To stand still is to be lifeless—*inertia is death!* Had the Colonies stood still, would this be the Government it is?"

Sir, let Northern doughfaces and serviles ponder upon the truthful sentiment proclaimed by a Southerner, the meaning of which is that "*finality is death!*"

Mr. Chairman, I will say but a word more, and conclude. Cobweb resolutions may be passed again and again, to check the onward march of the present age, by repressing the outgushing sympathies of the human heart; but they will serve only to show the folly and the blindness of frail human nature, when at war with principles as uncontrollable as the laws of attraction and repulsion. "Agitation" will go on; "finality" will pass away; the people will become regenerated, and our country redeemed. The influence of our social and religious institutions will go eastward, westward, and southward, until bleeding Africa,

once the seat of learning and empire, shall become the recipient of our blessings instead of our curses—until the Indian and the Mexican, the Chinaman and the Japanese, shall mingle in the same social circles, and rejoice that they live under a constitutional and representative Government, which cherishes equally the rights of all! Our commerce, too, will become greatly enlarged by enlightened views of reciprocal trade, under the fostering aid of oceanic steam navigation. It shall win new triumphs in the cause of civilization, and register the wisdom

and justice of our policy in the hearts of coming generations.

Let us, then, devote ourselves more faithfully to these great objects, so worthy of our regard. Let us cherish those hopes in which we have fondly indulged. Let us raise our conceptions to the highly responsible duties assigned us. Let our ambition and our legislative policy be as broad as the cause of universal humanity; the fulfilment of our mission, the political regeneration of the world!

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